

**RECEIVED**  
OCT 15 2012  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF MISSISSIPPI

**Supreme Court of the United States  
Office of the Clerk  
Washington, DC 20543-0001**

October 1, 2012

**William K. Suter**  
Clerk of the Court  
(202) 479-3011

Clerk  
United States Court of Appeals for the Fifth Circuit  
600 S. Maestri Place  
New Orleans, LA 70130

Re: Desmond Burnett  
v. United States  
No. 12-5291  
(Your No. 11-60272)

2:10 CR 22

Dear Clerk:

The Court today entered the following order in the above-entitled case:

The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted. The judgment is vacated, and the case is remanded to the United States Court of Appeals for the Fifth Circuit for further consideration in light of *Dorsey v. United States*, 567 U. S. \_\_\_\_ (2012).

The judgment or mandate of this Court will not issue for at least twenty-five days pursuant to Rule 45. Should a petition for rehearing be filed timely, the judgment or mandate will be further stayed pending this Court's action on the petition for rehearing.

Sincerely,



**William K. Suter, Clerk**